

Notice of Allowability

Application No.

09/758,241

Examiner

Jerry A. Lorengo

Applicant(s)

TANAKA, KATSUHISA

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments and arguments file 10/31/2003.
2. ☒ The allowed claim(s) is/are 1-3 and 5-9.
3. ☒ The drawings filed on 12 January 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____ |

DETAILED ACTION

(1)

Allowable Subject Matter

Claims 1-3 and 5-9 have been found to be allowable over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Methods and apparatus for the formation of a material on a carrier substrate and transfer of that material from the carrier to a target substrate, such as taught by U.S. Patent No. 2,596,649 to Little et al. and JP 10-064574 to Kazuhiko et al., are known in the art. Little et al., for example, disclose an apparatus for the formation of a film on a substrate web via transfer from a carrier web comprising: A hot press machine that forms a joined member by heating and pressing at least one transfer substrate carrying a transferable coating thereon with a target substrate web while the coated transfer substrate and target substrate web are in contact; a cooling machine (nozzle) that cools the transfer substrate carrying the transferable coating thereon before the coating comes into contact with the target substrate web; a separating machine that separates the transfer substrate from the target substrate web; and a cooling machine that cools the joined member prior to separating the transfer substrate therefrom. With regards to methodology, Kazuhiko et al. discloses a method for manufacturing an electrolyte (solid polymer film) having a catalyst applied to at least one side thereof for use in a fuel cell comprising the steps of: Contacting a catalyst carrier surface of at least one catalyst carrier substrate, carrying a catalyst on one side thereof; forming a laminate by heating and pressing the catalyst carrier and the solid polymer film; and separating the catalyst carrier substrate from the solid polymer film having the catalyst transfer laminated thereto.

None of the prior art of record, however, specifically teaches or suggests such an apparatus or method, as set forth in applicant claims 1 and 7, respectively, wherein the apparatus utilizes a cooling machine for cooling the catalyst carrier substrate from its transfer substrate side or wherein the method utilizes a precooling step whereby a transfer substrate having a catalyst on one side thereof is cooled from the transfer side of the catalyst carrier substrate.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

(2)

Response to Amendments and Arguments

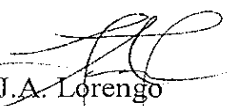
The amendments and arguments filed October 31, 2003 are acknowledged. In response to the amendments to applicant claims 1-3 and 7-9, claims 1-3 and 5-9 have been indicated as allowable over the prior art of record as set forth and explained in sections (1) and (2), above.

(3)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry A. Lorengo whose telephone number is (703) 306-9172. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853. Please note that after December 18, 2003 the examiner can be reached at (571) 272-1233. This change is due to the relocation of Patent Office facilities to a new campus. Also note that all patent application related correspondence transmitted by FAX must be directed to the central FAX number at 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.


J.A. Lorengo
Primary Examiner
AU 1734
November 20, 2003